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TELEFAX TRANSMISSION
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DATE: 04/02/2004

Name: Office of Initial Patent Examination (OIPE)
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Fax Number: 703-746-4060

TRANSMITTED FROM:
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CERTIFICATE OF FACSIMILE UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being facsimile transmitted to 703-746-4060 to the Commissioner for Patents, PO Box 1450, Alexandria, VA 22313 on this day, April 02, 2004.

Michele Fitzsimmons
Signature

BY: MICHELE FITZSIMMONS

1. Signed Declaration and Power of Attorney for Application Number 10/698,208
2. Fee & Response To Missing Parts Notice for Application Number 10/698,208 (in duplicate)
3. Copy of Notice to File Missing Parts of Nonprovisional Application for Application Number 10/698,208
4. Copy of Figure 4 as filed on October 31, 2003 for Application Number 10/698,208.
5. Copy of Postcard verifying Figure 4 was sent and received by the USPTO for Application Number 10/698,208.

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED, AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ADDRESS ABOVE VIA THE U.S. POSTAL SERVICE. THANK YOU.

Total Pages 10 (Including Cover Sheet)

IBM CONFIDENTIAL



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

In re application of

Group Art Unit: Unknown

Simon Chu, et al;

Examiner: Unknown

Serial Number: 10/698,543

Customer 25299

Filed: 10/31/2003

Title: Node Removal Using Remote Back-Up System Memory

FEE & RESPONSE TO MISSING PARTS NOTICE

Commissioner of Patents
PO Box 1450, Alexandria, VA 22313-1450

Dear Sir:

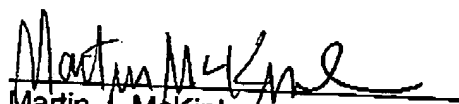
In response to the Notice to File Missing Parts of Application dated 02/03/2004, please find a signed Declaration and Power of Attorney for the above stated Patent Application. Also enclosed is a copy of Figure 4, along with a copy of the postcard as evidence that Figure 4 was submitted and received by the USPTO.

Please consider this letter your authorization to charge the \$260 fee to deposit account #09-1990. A duplicate copy of this letter is enclosed.

04/06/2004 FFANAEIA 00000084 091990 10698543

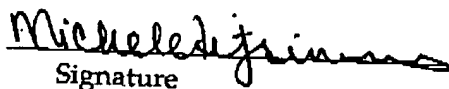
01 FC:1051 130.00 DA

Respectfully submitted,


Martin J. McKinley
Registration No. 31,782
Telephone No.: (919) 254-2578

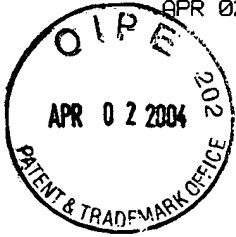
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Signature

BY: MICHELE FITZSIMMONS

RPS920030114US2



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PATENT

**DECLARATION AND POWER OF ATTORNEY FOR
PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

Node Removal Using Remote Back-Up System Memory

the specification of which is identified by the attorney (IBM) docket number below:

XXX under Attorney's Docket Number RPS920030113US2
XXX as Application Serial No. 10/698,543
_____ and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 CFR 1.56.

I hereby claim the benefit of foreign priority under 35 USC 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application the priority of which is claimed:

Prior Foreign Application(s):

Priority Claimed

(Number)

(Country)

(Filing Date)

____ Yes ____ No

I hereby claim the benefit of United States priority under 35 USC 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in a listed prior United States application in the manner provided by the first paragraph of 35 USC 112, I acknowledge the duty to disclose information material to the patentability of this application as defined in 37 CFR 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial #)

(Filing Date)

(Status)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 USC 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

RPS920030113US2


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POWER OF ATTORNEY: As a named inventor, I hereby appoint all attorneys and/or agents associated with **CUSTOMER NO.: 25299**; and the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Carlos Munoz-Bustamante	Reg. No. 51,349
George E. Grosser	Reg. No. 25,629
Daniel E. McConnell	Reg. No. 20,360
Martin J. McKinley	Reg. No. 31,782
Scott W. Reid	Reg. No. 42,098
J. Bruce Schelkopf	Reg. No. 43,901
Jeanine S. Ray-Yarletts	Reg. No. 39,808

Send correspondence to Martin J. McKinley, at **CUSTOMER NO.: 25299** and direct all telephone calls to Martin J. McKinley at 919-254-2578.

FULL NAME OF FIRST INVENTOR: Simon C. Chir

INVENTOR'S SIGNATURE: 

DATE: 2/29/04

RESIDENCE: 509 Cates Farm Road; Chapel Hill, North Carolina 27516

CITIZENSHIP: USA

POST OFFICE ADDRESS: same as residence

FULL NAME OF SECOND INVENTOR: Richard A. Dayan

INVENTOR'S SIGNATURE: 

DATE: 2/16/04


RESIDENCE: 10310 Sugarberry Court, Apt. 306; Raleigh, North Carolina 27614

CITIZENSHIP: USA

POST OFFICE ADDRESS: same as residence

RPS920030113US2

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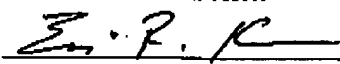
FULL NAME OF THIRD INVENTOR: Brandon J. EllisonINVENTOR'S SIGNATURE: DATE: 3/1/2004

RESIDENCE: 1023 High Lake Court; Raleigh, North Carolina 27606

CITIZENSHIP: USA

POST OFFICE ADDRESS: same as residence

FULL NAME OF FOURTH INVENTOR: Eric R. Kern

INVENTOR'S SIGNATURE: DATE: 3/1/2004

RESIDENCE: Five Rose Bay Court; Durham, North Carolina 27713

CITIZENSHIP: USA

POST OFFICE ADDRESS: same as residence

FULL NAME OF FIFTH INVENTOR: William B. Schwartz

INVENTOR'S SIGNATURE: DATE: 3/8/2004

RESIDENCE: 1926 Castleburg Drive; Apex, North Carolina 27523

CITIZENSHIP: USA

POST OFFICE ADDRESS: same as residence

FULL NAME OF FIFTH INVENTOR: Adam L. Soderlund

INVENTOR'S SIGNATURE: DATE: 3/12/2004

RESIDENCE: 7620 Country Knoll Road; Bahama, North Carolina 27503

CITIZENSHIP: USA

POST OFFICE ADDRESS: same as residence

RPS920030113US2